IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

SECOND APPEAL NO.737 OF 2007
Along with
Civil Application No.1012 of 2007

The State of Maharashtra, .. Appellant.
Vs
Smt Kamalabai Kondaji Awali and ors Respondents.

Mr Bharat Mehta, AGP for the appellant.
Mr Rahul D Motkari, for respondent no.1, 2/1 to 2/5.

CORAM : D.B.BHOSALE,J.

DATED : 29th October, 2007

P.C.:

1. Heard learned AGP for the appellant and learned counsel for the respondents.

2. This appeal is directed against the judgment and order dated 30.6.2007 passed by the appellate Court by which an appeal filed by the respondents-plaintiffs has been allowed. The trial Court had dismissed the suit. The suit was filed seeking compensation on account of the death of their sole earning member deceased Kondaji Kavji Awale, who died due to attack of wild animal. The suit was based on the Government Resolution dated 7.6.1992. The appellate court after having considered the Government Resolution and the evidence on record, found that all the conditions laid down in the Government Resolution stand fulfilled and hence granted compensation of Rs.20,000/- with interest. In my opinion, the evidence on record

clearly establish that deceased Kondaji died due to injuries caused by Tiger in the attack. Insofar as an issue whether the plaintiffs are the heirs of deceased Kondaji is concerned, both the Courts have answered the issue in affirmative. Considering the findings of facts recorded by the appellate court and as I find sufficient material on record to sustain those findings, in my opinion, no interference in the second appeal is called for. No substantial question is raised in the appeal. Hence, the appeal is dismissed. As a consequence thereof, the civil application stands disposed of.

(D.B.BHOSALE,J.)